REMARKS

Applicant is in receipt of the Office Action mailed July 5, 2005. Claims 1-21 are pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

Section 102 Rejections

Claims 1-21 were rejected under 35 U.S.C. 102(a) as being anticipated by Hoffberg et al. (US 2002/0151992 A1, "Hoffberg"). Applicant respectfully disagrees.

As the Examiner is certainly aware, anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites:

1. (Original) A memory medium comprising program instructions for specifying a signal analysis function, wherein the memory medium is in a computer system comprising a display, wherein the program instructions are executable to implement:

receiving user input specifying a first operation, wherein the operation implements at least a portion of a signal analysis function;

programmatically analyzing prior operations input by the user to determine an input source for the first operation, wherein the input source provides a first input signal;

performing the first operation on the first input signal received from the input source, wherein said performing produces an output signal;

displaying the output signal on the display; and

performing said programmatically analyzing, said performing, and said displaying for each of a plurality of first operations input by the user.

The Examiner asserts that Hoffberg teaches all of the features and limitations of claim 1. For example, the Examiner asserts that Hoffberg teaches "programmatically analyzing prior operations input by the user to determine an input source for the first operation, wherein the input source provides a first input signal", citing paragraph [0880]. Applicant respectfully disagrees.

Paragraph [0880] discloses a data processing system that, in response to user input, anticipates the user's most probable intended action based upon a history of user actions. Said another way, in Hoffberg's system, prior user actions are analyzed and used to predict future user actions, e.g., viewing preferences.

Nowhere does Hoffberg disclose or even hint at programmatically (i.e., automatically) analyzing prior operations input by the user to *determine an input source for the first operation*.

The Examiner also asserts that Hoffberg teaches "performing the first operation on the first input signal received from the input source, wherein said performing produces an output signal; displaying the output signal on the display; and performing said programmatically analyzing, said performing, and said displaying for each of a plurality of first operations input by the user", citing paragraphs [0881] and [0882].

However, Applicant notes that paragraphs [0881] and [0882] describe the input/output interaction between the user and display followed by adaptive modification of the user's viewing preference. Applicant respectfully submits that the cited text does not teach or suggest the iterative programmatic analysis, performance, and display for each of a plurality of first operations input by the user, as recited in claim 1.

Thus, Applicant submits that Hoffberg fails to teach all the features and limitations of claim 1, and so, for at least the reasons provided above, Applicant submits that claim 1 and those claims dependent therefrom are patentably distinct and non-obvious over Hoffberg, and are thus allowable.

Independent claims 20 and 21 include similar limitations as claim 1, and so the above arguments apply with equal force to these claims. Thus, Applicant submits that claims 20 and 21, and those claims respectively dependent therefrom, are patentably distinct and non-obvious over Hoffberg, and are thus allowable.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. For example, regarding claim 3, the Examiner asserts that Hoffberg discloses "querying a database to determine the prior operation that provides an output signal of the appropriate signal type", citing paragraphs [0296] and [0821]. However, Applicant notes that the cited text actually describes pattern recognition systems. For example, paragraph [0296] recites:

> Query by image content, a phrase coined by IBM researchers, relates to a system for retrieving image data stored in a database on the basis of the colors, textures, morphology or objects contained within the image. Therefore, the system characterizes the stored images to generate a metadata index, which can then be searched. Unindexed searching is also possible.

Clearly, this paragraph is not germane to this feature of claim 3. Similarly, paragraph [0821] relates to a pattern recognition subsystem that allows a "description" of an "event" without explicit definition of the data representing the "event".

Nowhere does Hoffberg describe or indicate that this pattern recognition system is capable of determining the prior operation that provides an output signal of the appropriate signal type for input to a first operation.

Thus, for at least these reasons, Applicant submits that claim 3 and those claims dependent therefrom are patentably distinct and non-obvious over Hoffberg, and are thus allowable.

Further novel features and limitations are recited in the dependent claims, however, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Applicant respectively requests removal of the section 102 rejection of claims 1-21.
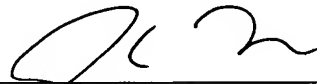
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CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-82400/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,

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